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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,017	03/19/2004	Koichi Nishimura	1785.1013	8200

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

EWALD, MARIA VERONICA

ART UNIT	PAPER NUMBER
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1722

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/804,017	NISHIMURA ET AL.	
	Examiner	Art Unit	
	Maria Veronica D. Ewald	1722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/19/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hehl. Please note that examiner is referencing U. S. Patent No. 6,666,674, which is the equivalent of PCT publication no. WO01/28749. Hehl teaches an injection molding machine that is comprised of a machine base, in its operating condition, has at least two adjacently positioned components 10a and 10b (items 10a and 10b – figure 1, column 2, lines 43 – 44). Furthermore, the reference teaches that the molding machine consists of a movable mold carrier and a stationary mold carrier (column 1, line 53). This reads on the applicant's claim that the molding machine comprise a stationary platen and a movable platen. The injection unit comprising of the movable mold carrier and the stationary mold carrier are disposed on the base component 10a; however, in a preferred embodiment, the stationary mold carrier can be mounted on the other base component 10b (column 2, lines 45 – 49). This reads on a first base frame supporting first mass including stationary platen and a second base frame supporting a second mass, said second mass including said movable platen. Hehl also teaches that the components 10a and 10b can be connected to one another via the stationary mold

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using a fulcrum; however, these two components (10a and 10b) can be aligned substantially independently of one another (column 2, line 67, column 3, lines 1 – 2). This reads on the applicant's claim that the first and second base frames are independently shiftable relative to each other. Furthermore, Hehl teaches that his molding machine has two centering elements, creating a "pivotal axis" thereby allowing easier leveling of the two machine bases relative to one another (column 3, lines 7 – 11). These centering elements not only provide a leveling mechanism for the machine base, but also provide a connection means between component 10a and 10b (column 3, lines 3 – 5). These characteristics read on the applicant's claim that one of the first and second base frames be provided with a level adjusting mechanism for adjusting a relative height and a parallelism between said stationary and movable platens and that the first and second base frames are locally connected to each other.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hehl in view of Nash, et al. Hehl teaches the characteristics described above, but does not teach an injection molding machine with a rear platen, disposed, at a location, opposite to said stationary platen, about said movable platen and a tie bar tying said

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stationary platen and said rear platen with each other and defining an axis extending in a direction of movement of movable platen; wherein said first mass includes said rear platen and said tie bar. In addition, Hehl does not teach a drive section mounted such that the first mass mounted on the first base frame includes the drive section.

In a method for molding plastic using a hydraulic molding machine with an improved machine base, Nash, et al. teaches a rectangular machine base that consists of an injection unit having fixed and movable platens, similar to Hehl, but also teaches that the unit has a fixed rear platen opposite the fixed platen, connected with four tie rods and a movable platen sandwiched between the two fixed platens movable along the tie rods (column 2, line 47 – 51). This reads on the applicant's claim that the injection-molding machine be equipped with a rear platen and a tie bar tying said stationary and rear platens with each other. Furthermore, Nash, et al. teaches that there is a hydraulic piston-cylinder assembly mounted on the fixed rear platen for moving and clamping shut said moving platen (column 2, lines 54 – 57, item 15 – figure 1).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the injection-molding machine of Hehl to incorporate the rear platen/tie bar assembly and rear-mounted drive unit of Nash, et al. to be mounted on the first base frame, for the purpose of providing both horizontal support and a drive means for the movable platen so that it can move with ease towards the fixed platen.

15. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hehl in view of Looije, et al. Hehl teaches the characteristics previously described but does not

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teach the use of a platen support movably supporting said movable platen on said second base frame.

In a method for producing molds using a stack mold system, Looije teaches a molding machine with a stack mold carrier assembly with one fixed platen and one movable platen. The movable platen is supported on linear bearings that engage fixed linear rails fastened to the support structure (column 2, lines 44 – 45). This reads on the applicant's claim that there be a platen support for the movable platen.

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the injection-molding machine of Hehl to incorporate the linear bearings of Looije for the purpose of allowing ease of movement of the movable platen along the linear rail in its movement towards or away from the stationary platen.

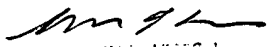
Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Veronica D. Ewald whose telephone number is 571-272-8519. The examiner can normally be reached on M-F, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Utech can be reached on 571-272-1137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DEAN J. JAMES
SVP & CTO
TECHNICAL SERVICES